

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**INVENTORS:** Bill J. Pope  
Jeffrey K. Taylor  
Richard H. Dixon  
Clayton F. Gardiner  
Louis M. Pope  
Dean C. Blackburn  
Michael A. Vail  
Kenneth M. Jensen

**ASSIGNEE:** Diamicron, Inc.

**DOCKET:** 6056 P

**TITLE:** Diamond-Surfaced Femoral Head for Use in a Prosthetic Joint

Assistant Commissioner for Patents  
Washington, DC 20231

**DECLARATION FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention as entitled above and the specification of which is filed herewith. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby appoint Daniel P. McCarthy (Reg. No. 36,600) and Lloyd W. Sadler (Reg. No. 40,154) as my representatives and attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All communications should be directed to Mr. McCarthy at the following address or telephone number:

Daniel P. McCarthy  
McCarthy & Sadler, LC  
39 Exchange Place  
Suite 100

Salt Lake City, Utah 84111  
(801) 323-9399

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor:

Bill J. Pope

Both residence and postal address of inventor:

Address:

461 Hobble Creek Road

City:

Springville

State:

Utah

Zip Code

84663

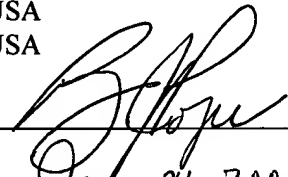
Country:

USA

Citizenship:

USA

Inventor's Signature:

  
\_\_\_\_\_  
Jan. 24, 2000

Date:

Full name of inventor:

Jeffery  
Jeffery K. Taylor

Both residence and postal address of inventor:

Address:

5502 Saint Francis Circle West

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State:

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Zip Code

95650

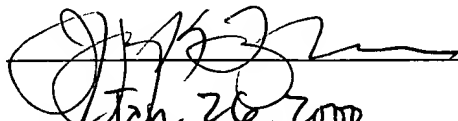
Country:

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Citizenship:

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Inventor's Signature:

  
\_\_\_\_\_  
Jan. 26, 2000

Date:

Richard H. Dixon

3608 North 180 East  
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USA  
USA

### Provo

## Utah

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USA

*Richard J. ...*

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## Springville

## Utah

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USA

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Dean Blake

Jan 27, 2000

Full name of inventor:

Michael A. Vail

Both residence and postal address of inventor:

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State:

Utah

Zip Code

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Country:

USA

Citizenship:

USA

Inventor's Signature:

Michael A. Vail

Date:

Jan 26, 2000

Full name of inventor:

Kenneth M. Jensen

Both residence and postal address of inventor:

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275 East 1075 North

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State:

Utah

Zip Code

84663

Country:

USA

Citizenship:

USA

Inventor's Signature:

Kenneth M. Jensen

Date:

Jun 28, 2000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

JC710 U.S. PTO  
09/494240  
01/30/00

**INVENTOR:**

Bill J. Pope  
~~Jeffrey~~ K. Taylor  
Richard H. Dixon  
Clayton F. Gardiner  
Louis M. Pope  
Dean C. Blackburn  
Michael A. Vail  
Kenneth M. Jensen

**ASSIGNEE:**

Diamicron, Inc.

**DOCKET:**

6056 P

**TITLE:**

Diamond-Surfaced Femoral Head for Use in a Prosthetic Joint

Assistant Commissioner for Patents  
Washington, DC 20231

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS**

**--INDEPENDENT INVENTOR--  
(37 CFR 1.9(c) and (f) and 1.27(b))**

As the below named inventor, I hereby declare that I qualify as independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention as entitled above and as described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and are under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the due date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any

patent issuing thereon, or any patent to which this verified statement is directed.

Louis M. Pope  
Signature of Inventor

Jan 24 '00  
Date

[Signature]  
Signature of Inventor

Jan 24, 2000  
Date

[Signature]  
Signature of Inventor

1/24/2000  
Date

Clayton D. Hardin  
Signature of Inventor

1-24-00  
Date

[Signature]  
Signature of Inventor

Jan 26, 2000  
Date

[Signature]  
Signature of Inventor

Jan 26, 2000  
Date

[Signature]  
Signature of Inventor

Jan 27, 2000  
Date

Kenneth M. [Signature]  
Signature of Inventor

Jan 28, 2000  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

JC710 U.S. PRO  
09/494240  
01/30/00

**INVENTORS:** Bill J. Pope  
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**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS**

**--SMALL BUSINESS CONCERN--  
(37 CFR 1.9(f) and 1.27(c))**

I hereby declare that I am an official of the small business concern identified below and that I am empowered to act on behalf of said concern:

**NAME OF CONCERN:** Diamicron, Inc.

**ADDRESS OF CONCERN:** 1186 South 1680 West  
Orem, Utah 84058

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office in that the number of employees of the business concern does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control



[illegible]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Richard H. Dixon

TITLE OF PERSON SIGNING:

V.P. and General Mgr.

ADDRESS:

1186 South 1680 West  
Orem, Utah 84058

SIGNATURE:

*Richard H. [Signature]*

DATE:

1/24/2000